

**U.S. District Court
California Northern District (Oakland)
CIVIL DOCKET FOR CASE #: 4:18-cv-02711-DMR**

The Center for Investigative Reporting (CIR) v. Department of
Homeland Security
Assigned to: Magistrate Judge Donna M. Ryu
Cause: 05:552 Freedom of Information Act

Date Filed: 05/08/2018
Jury Demand: None
Nature of Suit: 895 Freedom of
Information Act
Jurisdiction: U.S. Government Defendant

Plaintiff**The Center for Investigative Reporting**

represented by **Diana Victoria Baranetsky**
The Center for Investigative Reporting
1400 65th Street, Suite 200
Emeryville, CA 94608
(510) 809-3160
Fax: (510) 849-6141
Email: vbaranetsky@revealnews.org
ATTORNEY TO BE NOTICED

Plaintiff**Patrick Michels**

represented by **Diana Victoria Baranetsky**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

V.

Defendant**Department of Homeland Security**

represented by **Gioconda R. Molinari**
U.S. Attorney's Office, Civil Division
450 Golden Gate Avenue, 9th Floor
Box 36055
San Francisco, CA 94102-3495
(415) 436-7220
Fax: (415) 436-6748
Email: Gioconda.Molinari@usdoj.gov
ATTORNEY TO BE NOTICED

| Date Filed | # | Docket Text |
|------------|----------|--|
| 05/08/2018 | <u>1</u> | COMPLAINT against Department of Homeland Security (Filing fee \$ 400, receipt number 0971-12335985.). Filed by The Center for Investigative Reporting (CIR). (Attachments: # <u>1</u> Exhibit, # <u>2</u> Exhibit, # <u>3</u> Exhibit, # <u>4</u> Exhibit, # <u>5</u> Civil Cover Sheet, # <u>6</u> Summons)(Baranetsky, Diana) (Filed on 5/8/2018) (Entered: 05/08/2018) |
| 05/08/2018 | <u>2</u> | Certificate of Interested Entities by The Center for Investigative Reporting (CIR) (Baranetsky, Diana) (Filed on 5/8/2018) (Entered: 05/08/2018) |
| 05/09/2018 | | <u>Electronic filing error</u> . Incorrect event used. [err101] The correct event is Proposed Summons. the summons should not be filed as an attachment to the complaint. Please re-file the summons in its entirety. Re:[1-6] Summons, filed by The Center for Investigative Reporting (CIR) (jmlS, COURT STAFF) (Filed on 5/9/2018) (Entered: 05/09/2018) |
| 05/09/2018 | 3 | Case assigned to Magistrate Judge Donna M. Ryu. Counsel for plaintiff or the removing party is responsible for serving the Complaint or Notice of Removal, Summons and the assigned judge's standing orders and all other new case documents upon the opposing parties. For information, visit <i>E-Filing A New</i> |

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| | | <p><i>Civil Case</i> at http://cand.uscourts.gov/ecf/caseopening.</p> <p>Standing orders can be downloaded from the court's web page at www.cand.uscourts.gov/judges. Upon receipt, the summons will be issued and returned electronically. Counsel is required to send chambers a copy of the initiating documents pursuant to L.R. 5-1(e)(7). A scheduling order will be sent by Notice of Electronic Filing (NEF) within two business days. Consent/Declination due by 5/23/2018. (jmlS, COURT STAFF) (Filed on 5/9/2018) (Entered: 05/09/2018)</p> |
| 05/09/2018 | <u>4</u> | Initial Case Management Scheduling Order with ADR Deadlines: Case Management Statement due by 8/8/2018. Initial Case Management Conference set for 8/15/2018 01:30 PM in Oakland, Courtroom 4, 3rd Floor. (jjbS, COURT STAFF) (Filed on 5/9/2018) (Entered: 05/09/2018) |
| 05/09/2018 | <u>5</u> | Summons Issued as to Department of Homeland Security. (jjbS, COURT STAFF) (Filed on 5/9/2018) (Entered: 05/09/2018) |
| 05/09/2018 | <u>6</u> | Proposed Summons. (Baranetsky, Diana) (Filed on 5/9/2018) (Entered: 05/09/2018) |
| 05/09/2018 | <u>7</u> | CONSENT/DECLINATION to Proceed Before a US Magistrate Judge by The Center for Investigative Reporting (CIR).. (Baranetsky, Diana) (Filed on 5/9/2018) (Entered: 05/09/2018) |
| 05/09/2018 | <u>8</u> | CERTIFICATE OF SERVICE by The Center for Investigative Reporting (CIR) (Baranetsky, Diana) (Filed on 5/9/2018) (Entered: 05/09/2018) |
| 05/21/2018 | <u>9</u> | NOTICE of Appearance by Gioconda R. Molinari (Molinari, Gioconda) (Filed on 5/21/2018) (Entered: 05/21/2018) |
| 05/23/2018 | <u>10</u> | CONSENT/DECLINATION to Proceed Before a US Magistrate Judge by Department of Homeland Security.. (Molinari, Gioconda) (Filed on 5/23/2018) (Entered: 05/23/2018) |
| 05/24/2018 | <u>11</u> | STIPULATION to Respond to <u>1</u> Complaint filed by Department of Homeland Security, the Center for Investigative Reporting, and Patrick Michels. (Molinari, Gioconda) (Filed on 5/24/2018) Modified on 5/25/2018 (jjbS, COURT STAFF). Modified on 5/25/2018 (jjbS, COURT STAFF). (Entered: 05/24/2018) |
| 06/25/2018 | <u>12</u> | ANSWER to <u>1</u> Complaint by Department of Homeland Security. (Molinari, Gioconda) (Filed on 6/25/2018) Modified on 6/26/2018 (jjbS, COURT STAFF). (Entered: 06/25/2018) |
| 06/27/2018 | <u>13</u> | STIPULATION WITH PROPOSED ORDER <i>to Continue Case Management Conference</i> filed by Department of Homeland Security, Patrick Michels, and The Center for Investigative Reporting (CIR) (Molinari, Gioconda) (Filed on 6/27/2018) Modified on 6/28/2018 (jjbS, COURT STAFF). (Entered: 06/27/2018) |
| 06/28/2018 | <u>14</u> | Order by Magistrate Judge Donna M. Ryu granting <u>13</u> Stipulation to Continue Case Management Conference. Joint Case Management Statement due by 10/24/2018. Initial Case Management Conference set for 10/31/2018 01:30 PM.(dtmS, COURT STAFF) (Filed on 6/28/2018) (Entered: 06/28/2018) |
| 10/09/2018 | <u>15</u> | ADR Certification (ADR L.R. 3-5 b) of discussion of ADR options (Baranetsky, Diana) (Filed on 10/9/2018) (Entered: 10/09/2018) |
| 10/10/2018 | <u>16</u> | ADR Certification (ADR L.R. 3-5 b) of discussion of ADR options (Molinari, Gioconda) (Filed on 10/10/2018) (Entered: 10/10/2018) |
| 10/10/2018 | <u>17</u> | STIPULATION WITH PROPOSED ORDER <i>to Continue Case Management Conference</i> filed by Department of Homeland Security, The Center for Investigative Reporting, and Patrick Michels. (Molinari, Gioconda) (Filed on 10/10/2018) Modified on 10/11/2018 (jjbS, COURT STAFF). (Entered: 10/10/2018) |
| 10/12/2018 | <u>18</u> | ORDER by Magistrate Judge Donna M. Ryu granting <u>17</u> Stipulation to continue: Joint Case Management Statement due by 12/12/2018. Initial Case Management Conference continued to 12/19/2018 01:30 PM. (ig, COURT STAFF) (Filed on 10/12/2018) (Entered: 10/12/2018) |

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| 12/06/2018 | <u>19</u> | CLERK'S NOTICE: Notice is hereby given to all parties that the Initial Case Management Conference previously set for 12/19/2018 01:30 PM has been rescheduled to 12/19/2018 12:30 PM before Magistrate Judge Donna M. Ryu. The Joint Case Management Statement is due no later than 12/12/2018. <i>(This is a text-only entry generated by the court. There is no document associated with this entry.)</i> (ig, COURT STAFF) (Filed on 12/6/2018) (Entered: 12/06/2018) |
| 12/07/2018 | <u>20</u> | STIPULATION WITH PROPOSED ORDER <i>to Continue Case Management Conference</i> filed by Department of Homeland Security, The Center for Investigative Reporting and Patrick Michels. (Molinari, Gioconda) (Filed on 12/7/2018) Modified on 12/10/2018. (jjbS, COURT STAFF). (Entered: 12/07/2018) |
| 12/07/2018 | <u>21</u> | ORDER by Magistrate Judge Donna M. Ryu granting <u>20</u> Stipulation to continue: Joint Case Management Statement due by 1/9/2019. Initial Case Management Conference continued to 1/16/2019 01:30 PM. (ig, COURT STAFF) (Filed on 12/7/2018) (Entered: 12/07/2018) |
| 01/04/2019 | <u>22</u> | STIPULATION WITH PROPOSED ORDER <i>to Continue Case Management Conference</i> filed by Department of Homeland Security and The Center for Investigative Reporting, and Patrick Michels. (Molinari, Gioconda) (Filed on 1/4/2019) Modified on 1/7/2019 (jjbS, COURT STAFF). (Entered: 01/04/2019) |
| 01/07/2019 | <u>23</u> | ORDER by Magistrate Judge Donna M. Ryu granting <u>22</u> Stipulation: The 1/16/2019 initial case management conference and 1/9/2019 deadline to file a joint case management statement are stayed and shall be continued until a date after the shutdown of the federal government has ended and relevant federal appropriations have been restored. Parties to advise the Court via stipulation of the earliest post-shutdown hearing date when all counsel are available to attend an initial case management conference. (ig, COURT STAFF) (Filed on 1/7/2019) (Entered: 01/07/2019) |
| 02/15/2019 | 24 | ORDER: The stay of this matter is hereby lifted. By 2/22/2019, the parties shall submit a stipulation regarding a new case management schedule. Signed by Magistrate Judge Donna M. Ryu on 2/15/2019. <i>(This is a text-only entry generated by the court. There is no document associated with this entry.)</i> (dmrlc3S, COURT STAFF) (Filed on 2/15/2019) (Entered: 02/15/2019) |
| 02/22/2019 | <u>25</u> | STIPULATION WITH PROPOSED ORDER <i>re Case Management Conference; [Proposed] Order</i> filed by Department of Homeland Security, Patrick Michels, and The Center for Investigative Reporting. (Molinari, Gioconda) (Filed on 2/22/2019) Modified on 2/25/2019 (jjbS, COURT STAFF). (Entered: 02/22/2019) |
| 02/25/2019 | <u>26</u> | ORDER (AS MODIFIED) by Magistrate Judge Donna M. Ryu granting <u>25</u> Stipulation re: Initial Case Management Conference: Joint Case Management Statement due by 3/27/2019. Initial Case Management Conference set for 4/3/2019 01:30 PM. (ig, COURT STAFF) (Filed on 2/25/2019) (Entered: 02/25/2019) |
| 03/27/2019 | <u>27</u> | JOINT CASE MANAGEMENT STATEMENT filed by Department of Homeland Security and the Center of Investigative Reporting. (Molinari, Gioconda) (Filed on 3/27/2019) Modified on 3/28/2019 (ajsS, COURT STAFF). (Entered: 03/27/2019) |
| 04/03/2019 | <u>28</u> | 🔊 PDF with attached Audio File. Court Date & Time [4/3/2019 1:44:30 PM]. File Size [6896 KB]. Run Time [00:14:22]. (courtspeak). (Entered: 04/03/2019) |
| 04/03/2019 | <u>29</u> | Minute Entry for proceedings held before Magistrate Judge Donna M. Ryu: Initial Case Management Conference held on 4/3/2019. Deadline to seek leave to amend the pleadings to add new parties, claims and defenses is 6/3/2019. By 4/30/2019, Defendant shall provide a complete Vaughn index. Within 2 weeks, the parties shall meet and confer regarding the contents of the Vaughn index to resolve disputes and identify those disputes which require adjudication. Updated Joint Case Management Statement due by 6/12/2019. Further Case Management Conference set for 6/19/2019 01:30 PM in Oakland, Courtroom 4, 3rd Floor.FTR Time: 1:44–1:58. Attachment: Civil Conferece Minute Order. (ig, COURT STAFF) (Date Filed: 4/3/2019) (Entered: 04/05/2019) |
| 06/12/2019 | <u>30</u> | STIPULATION WITH PROPOSED ORDER <i>RE: Case Management Dates</i> filed by Department of Homeland Security, The Center for Investigative Reporting and Patrick Michels. (Molinari, Gioconda) (Filed on 6/12/2019) Modified on 6/13/2019 (jmlS, |

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| | | COURT STAFF). (Entered: 06/12/2019) |
| 06/14/2019 | <u>31</u> | ORDER (AS MODIFIED) by Magistrate Judge Donna M. Ryu granting <u>30</u> Stipulation taking 6/19/2019 Further Case Management Conference off calendar. Status Report due by 7/24/2019. (ig, COURT STAFF) (Filed on 6/14/2019) (Entered: 06/14/2019) |
| 07/24/2019 | <u>32</u> | JOINT STATUS REPORT by Department of Homeland Security and The Center for Investigative Reporting. (Molinari, Gioconda) (Filed on 7/24/2019) Modified on 7/25/2019 (ajsS, COURT STAFF). (Entered: 07/24/2019) |
| 07/26/2019 | <u>33</u> | ORDER: The court has reviewed the parties' joint status report <u>32</u> . The parties shall file a proposed briefing schedule for Defendant's motion for summary judgment by July 31, 2019. Signed by Magistrate Judge Donna M. Ryu on 7/26/2019. (This is a text-only entry generated by the court. There is no document associated with this entry.) (dmrlc3, COURT STAFF) (Filed on 7/26/2019) (Entered: 07/26/2019) |
| 07/31/2019 | <u>34</u> | STIPULATION WITH PROPOSED ORDER <i>RE: MOTIONS FOR SUMMARY JUDGMENT BRIEFING SCHEDULE</i> filed by Department of Homeland Security and The Cener for Investigative Reporting. (Molinari, Gioconda) (Filed on 7/31/2019) Modified on 8/1/2019 (ajsS, COURT STAFF). (Entered: 07/31/2019) |
| 08/05/2019 | <u>35</u> | Order [AS MODIFIED] by Magistrate Judge Donna M. Ryu granting <u>34</u> Stipulation for Briefing Schedule on Cross-Motions for Summary Judgment. (dmrlc3, COURT STAFF) (Filed on 8/5/2019) (Entered: 08/05/2019) |
| 08/13/2019 | <u>36</u> | ADMINISTRATIVE MOTION Stay of Proceeding filed by Department of Homeland Security. Responses due by 8/19/2019. (Molinari, Gioconda) (Filed on 8/13/2019) (Entered: 08/13/2019) |
| 08/13/2019 | <u>37</u> | Declaration of Gioconda Molinari in Support of <u>36</u> ADMINISTRATIVE MOTION Stay of Proceeding filed by Department of Homeland Security. (Related document(s) <u>36</u>) (Molinari, Gioconda) (Filed on 8/13/2019) (Entered: 08/13/2019) |
| 08/23/2019 | <u>38</u> | ORDER: The court has reviewed Defendants' administrative motion to stay <u>36</u> . Plaintiffs shall file either an opposition or a notice of non-opposition to the motion by no later than August 26, 2019. Signed by Magistrate Judge Donna M. Ryu on 8/23/2019. (This is a text-only entry generated by the court. There is no document associated with this entry.) (dmrlc3, COURT STAFF) (Filed on 8/23/2019) (Entered: 08/23/2019) |
| 08/26/2019 | <u>39</u> | OPPOSITION/RESPONSE (re <u>36</u> ADMINISTRATIVE MOTION Stay of Proceeding) filed by Patrick Michels, The Center for Investigative Reporting. (Baranetsky, Diana) (Filed on 8/26/2019) (Entered: 08/26/2019) |
| 09/25/2019 | <u>40</u> | STIPULATION WITH PROPOSED ORDER <i>re Briefing Schedule for Motions for Summary Judgement – Civ. L.R. 7–12</i> filed by Department of Homeland Security, The Center for Investigative Reporting and Patrick Michels. (Molinari, Gioconda) (Filed on 9/25/2019) Modified on 9/26/2019 (jmlS, COURT STAFF). (Entered: 09/25/2019) |
| 09/25/2019 | <u>41</u> | Order by Magistrate Judge Donna M. Ryu denying <u>36</u> Administrative Motion to Stay. (dmrlc3, COURT STAFF) (Filed on 9/25/2019) (Entered: 09/25/2019) |
| 09/26/2019 | <u>42</u> | Order by Magistrate Judge Donna M. Ryu granting <u>40</u> Stipulation to Modify Briefing Schedule. (dmrlc3, COURT STAFF) (Filed on 9/26/2019) (Entered: 09/26/2019) |
| 10/09/2019 | <u>43</u> | STIPULATION WITH PROPOSED ORDER <i>re Settlement and Dismissal of FOIA Claims with Prejudice with the Exception of Attorney's Fees</i> filed by Department of Homeland Security and The Center for Investigative Reporting. (Molinari, Gioconda) (Filed on 10/9/2019) Modified on 10/10/2019 (jmlS, COURT STAFF). (Entered: 10/09/2019) |
| 10/11/2019 | <u>44</u> | Order AS MODIFIED by Magistrate Judge Donna M. Ryu granting <u>43</u> Stipulation for Partial Dismissal. The parties shall file a status report in 30 days. (dmrlc3, COURT STAFF) (Filed on 10/11/2019) (Entered: 10/11/2019) |

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| 11/05/2019 | <u>45</u> | STIPULATION WITH PROPOSED ORDER <i>to Extend the Period for Filing a Status Report by Two Weeks</i> filed by Department of Homeland Security, The Center for Investigative Reporting and Patrick Michels. (Molinari, Gioconda) (Filed on 11/5/2019) Modified on 11/5/2019 (jmlS, COURT STAFF). (Entered: 11/05/2019) |
| 11/07/2019 | <u>46</u> | Order by Magistrate Judge Donna M. Ryu granting <u>45</u> Stipulation to Extend Deadlines. (dmrlc3, COURT STAFF) (Filed on 11/7/2019) (Entered: 11/07/2019) |
| 11/26/2019 | <u>47</u> | STIPULATION WITH PROPOSED ORDER <i>to Extend the Period for Filing a Status Report by Two Weeks</i> filed by Department of Homeland Security, Center for Investigative Reporting and Patrick Michels. (Molinari, Gioconda) (Filed on 11/26/2019) Modified on 11/26/2019 (jmlS, COURT STAFF). (Entered: 11/26/2019) |
| 11/27/2019 | <u>48</u> | Order by Magistrate Judge Donna M. Ryu granting <u>47</u> Stipulation to Extend Deadline to File Joint Status Report. (dmrlc3, COURT STAFF) (Filed on 11/27/2019) (Entered: 11/27/2019) |
| 12/02/2019 | <u>49</u> | ***DISREGARD. DUPLICATE FILING PER FILER.*** STIPULATION WITH PROPOSED ORDER <i>to Extend the Period for Filing a Status Report by Two Weeks</i> filed by Department of Homeland Security and the Center for Investigative Reporting. (Molinari, Gioconda) (Filed on 12/2/2019) Modified on 12/3/2019 (jmlS, COURT STAFF). Modified on 12/3/2019 (jmlS, COURT STAFF). (Entered: 12/02/2019) |
| 12/03/2019 | <u>50</u> | Order by Magistrate Judge Donna M. Ryu granting <u>49</u> Stipulation to Extend Deadlines. (dmrlc3, COURT STAFF) (Filed on 12/3/2019) (Entered: 12/03/2019) |